

PLANNING COMMISSION MEETING OF NOVEMBER 14, 2005

2005-0864 –Tasman V, LLC [Owner]: Application for a Use Permit on a 2.2-acre site to allow recreational use (martial arts club) in a 4,500 square foot space of an existing industrial building. The property is located at **1257 Tasman Drive** (near Reamwood Ave) in an M-S (Industrial & Service) Zoning District. (Negative Declaration) (APN: 104-58-007) RK

Ryan Kuchenig, Associate Planner, presented the staff report. This application was considered complete prior to the City Council moratorium approved on September 20, 2005 that affects places of assembly and amusement and recreational uses in industrial zoning districts. Since the application was complete prior to the moratorium, the Planning Commission can make a determination of the appropriateness of use for this site. Staff was able to make the findings and recommends approval, subject to the Conditions of Approval (COA). There is a COA limiting the use at this site for three years so further review can be conducted to evaluate any possible impacts to the surrounding area. The applicant can reapply for a Use Permit at that time. Mr. Kuchenig said a revised copy of page 8 of the report was provided to the Commissioners as there was a discrepancy in the Alternatives of the original staff report.

Chair Hungerford opened the Public Hearing.

Ernie Lee, applicant and owner of the Hong Dao Wushu Academy and **Vic Norman**, property manager, were present for questions. Mr. Lee said this is a multi-use application and that the business is also involved in the import of martial art supplies and Chinese Furniture for wholesale distribution. His partner is from internationally known instructor from China and the United States coach for the U.S. team that is going to the world tournament this December 7th. She has a number of students hoping to be athletes in the 2008 Olympics. The applicant would like to use this facility for training and practice of Wushu, a martial arts discipline, which will be featured in the 2008 Olympics. This would be a small training facility with a limited scope.

Comm. Babcock asked if the applicant was currently operating in this facility. Mr. Lee said yes, that the landlord has allowed them into the facility for the import side of business and at the same time they have worked on the lay out of the warehouse to be used as a training facility. There are currently some martial arts apparatuses in the warehouse for practice. Comm. Babcock asked how long they had been open for business for the martial arts portion. He said that informally there have been private lessons and small classes for about three weeks. They first applied for the import portion of the business and then in September realized they must apply for a use permit for martial arts portion which they did.

Chair Hungerford said he was glad that Comm. Babcock asked the previous question as on his site visit he saw people working out at the facility. Mr. Lee said that what he saw was a private lesson taking place in the warehouse area.

Chair Hungerford closed the Public Hearing.

Comm. Babcock moved to approve as recommended by staff. Vice Chair Fussell seconded.

Comm. Moylan referred to the revised page 8 of the report and asked for clarification of the staff's recommendation. **Ms. Ryan** said that the alternatives were revised and staff is recommending, "Adopt the Negative Declaration and approve the Use Permit with attached conditions." Comm. Moylan said he is in support of the motion and that he is able to make the findings.

Final Action:

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| Comm. Babcock made a motion on 2005-0864 to adopt the Negative Declaration and approve the Use Permit with attached conditions. Vice Chair Fussell seconded. |
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| Motion carried unanimously, 7-0. |
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This item is appealable to City Council no later than November 29, 2005.